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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,716	01/21/2004	Boris A. Shoykhet	97AB027-B	3717

7590 01/23/2006  
Rockwell Automation, Inc.  
Attention: Susan M. Donahue  
Patent Dept./704P  
1201 South Second Street  
Milwaukee, WI 53204

EXAMINER
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LAM, THANH

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/761,716

Applicant(s)

SHOYKHET, BORIS A.

Examiner

Thanh Lam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7,8,10-17,19-27,29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01-04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 7-8,10-17,19-27,29-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7-8,10-17,19-27,29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Prior art (figure 1 of the application) hereinafter 'PA in view of Meyer et al. (US 5283941).

Regarding claims 7,17,26,27, PA disclose a superconducting motor comprising: a stator assembly (210) having stator windings forming a stator cavity, and a rotor assembly having rotor windings, the rotor assembly operatively mounted to rotate within the stator cavity, the rotor assembly including bonded joint assembly co-axially connecting members formed of dissimilar materials.

Meyer et al. disclose a rotor assembly (10) one of said members (12,20) exposed to a first temperature, another of said members exposed to a second temperature different from the first temperature which has been cooled, wherein the joint assembly

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has securing surfaces that are configured to essentially eliminate singularity points along a joint of the joint assembly ( see abstract).

PA and Meyer et al. are all from the same field of endeavor; the purpose disclosed by one inventor would have been recognized in the pertinent art of the other.

it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify and the joint assembly of PA to accommodate the joint assembly as taught by Meyer et al. in order to improve to strength of the joint.

Regarding claims 8, 21, the proposal in combination of PA and Meyer et al. disclose the materials are bonded with an adhesive.

Regarding claim 10, the proposal in combination of PA and Meyer et al. disclose one of said members is exposed to a first temperature and another of said members is exposed to a second temperature different from the first temperature, the dissimilar materials and joint assembly providing thermal insulation between the first and second temperatures.

Regarding claims 13, 23, 29, the proposal in combination of PA and Meyer et al. disclose the rotor assembly has a second joint assembly of similar construction to the joint assembly, the joint assembly and second joint assembly being position on opposite ends of the rotor assembly.

Regarding claims 14, 24, the proposal in combination of PA and Meyer et al. disclose one of the materials is a thermal insulator and the other material is a metal.

Regarding claims 15, 25, the proposal in combination of PA and Meyer et al. disclose one of the members is formed of a composite material and is adhesively bonded to the other member.

Regarding claims 16,20,30, the proposal in combination of PA and Meyer et al. disclose the joint assembly is a torque tube having a tubular member formed of first material adhesively bonded to first and second couplers formed of a second material.


3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (571) 272-2026. The examiner can normally be reached on t-f 9-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E. Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thanh Lam  
Primary Examiner  
Art Unit 2834

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